

10/761,795

PD030020

Remarks

Claims 1, 2 6-9 and 11 stand rejected under 35 U. S .C. §102(b) as being anticipated by Tomita et al.

Claim 11 stands rejected under 35 U. S .C. §101(b)

Claims 3 - 5 and 10 stand objected to but would be allowable if rewritten in independent form.

Claim Amendments

Claims 1, 4, 5 6, 7, 8, 9, 10 and 11 are amended herewith.

Claim 3 is cancelled.

Claim 1 is amended to include the subject matter of claim 3, deemed allowable by the Examiner. Withdrawal of the rejection under 35 U. S .C. §102(b) is respectfully requested.

Claims 2 and 6 depend from amended claim 1 and are, for the same reasons, allowable over Tomita et al. and the prior art of record.

Claim 2 is additionally patentable over Tomita et al. because the recited "high boost coefficient" is responsive to the "decoded read signal provided by the Viterbi detector" and the "equalized read signal provided by the limit equalizer". However, Figure 7 and section 2.4 of Tomita et al. neither show nor suggest using, in addition, the "decoded read signal provided by the Viterbi detector". Section 2.4, states that the limit level is selected near the peak level of the T_{min} in the reproduced signal, however, it neither discloses nor suggests adapting the high boost coefficient by use of the decoded read signal provided by the Viterbi detector. Since Tomita et al. lack applicant's additional element, claim 2 is additionally patentable over Tomita et al. Withdrawal of the rejection is respectfully requested.

Claims 4, 5 are amended to depend from amended claim 1 and are deemed allowable. Withdrawal of the objections are respectfully requested.

10/761,795

PD030020

Claim 7 is amended to include the subject matter of claim 3, and for the same reasons as amended claim 1, is patentable over Tomita et al. Withdrawal of the rejection under 35 U. S. C. §102(b) is respectfully requested.

Claim 8 is amended to include the deemed allowable subject matter of claim 10. Withdrawal of the rejection under 35 U. S. C. §102(b) is respectfully requested.

Claim 9 is amended to comport with the deemed allowable subject matter of amended claim 8. Claim 9 is additionally patentable over Tomita et al. for the reasons set out for claim 2. Withdrawal of the rejection is respectfully requested.

Claim 10 depends from amended claim 8, which is deemed allowable. Withdrawal of the objection is respectfully requested.

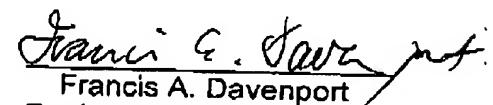
Claim 11 is amended to place the recited elements in statutory form and to include functions deemed allowable in claim 10. Withdrawal of the rejections under 35 U. S. C. §101(b) and 35 U. S. C. §102(b) are respectfully requested.

Claims 1, 2 and 4 - 11 are believed to be in condition for allowance which is respectfully requested.

No fee is believed to have been incurred by virtue of this amendment. However if a fee is due please charge the appropriate fee against deposit account 07-0832.

Respectfully submitted,
Stephan RAPP

Tuesday, February 27, 2007


Francis A. Davenport
Registration No. 36,316
609-734-6805

THOMSON Licensing LLC
Patent Operation
PO Box 5312
Princeton, NJ 08543-5312